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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTENTION	Liping Chen
ART UNIT	1632
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SERIAL NO.	Wolff et al.,
APPLICANT	09/869,508
FILED	June 5, 2002
FOR	GENE TRANSFER VECTOR FOR THE DIAGNOSIS AND THERAPY OF MALIGN TUMORS

COMMENTS:

Please find attached a timely filed RESPONSE TO RESTRICTION REQUIREMENT that
is due on **NOVEMBER 1, 2002.**

Respectfully submitted,

Theodor Gottlieb
Theodor Gottlieb, PhD
Registration Number 42,597

#10,
Dear
11/14/02

Atty's Docket No. :101195-54

I hereby certify that this correspondence is being TRANSMITTED BY FACSIMILE to the Assistant Commissioner For Patents, Washington, D.C. 20231, on November 1, 2002.


Theodore A. Gottlieb

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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SERIAL NO.	09/869,508
FILED	June 5, 2002
EXAMINER	L. Chen
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GROUP 1600

OFFICIAL

Hon. Assistant Commissioner of Patents
Washington, D.C. 20231

November 1, 2002

RESPONSE to RESTRICTION REQUIREMENT

Sir:

This communication is in response the Restriction Requirement dated October
1, 2002.

CONDITIONAL PETITION FOR EXTENSION OF TIME

If any extension of time for this response is required, Applicants request that this be considered a petition therefore. Please charge the required fee to Deposit Account No. 14-1263.

ADDITIONAL FEES

Please charge any further insufficiency of fees, or credit any excess to Deposit Account No. 14-1263.

REMARKS

Claims 1-10 are pending in the application.

Election With Traverse

In response to the Restriction Requirement of October 1, 2002, Applicants provisionally elect

GROUP I comprising claims 1-3, and 6-10.

In addition, Applicants believe that the remarks below traverse the restriction requirement. In brief, Examiner has applied an incorrect legal standard for determining whether restriction is appropriate.

The instant application is the national phase, under 35 USC § 371, of the previously filed PCT application. Thus, as discussed in detail below, the **only** proper